

January 4, 2022

Council of the City of Wheeling met, on the above date, at 12:00 pm, at 1500 Chapline St. with Mayor Elliott presiding.

On roll call, the following were present:

Present: Elliott, Thalman, Seidler, Ketchum, Thorngate, Palmer - 6
Absent: Sklavounakis - 1

Mr. Thalman moved, seconded by Mr. Thorngate, that the minutes of December 21, 2021, meeting be approved as received. Motion carried.

MAYOR'S REPORT

Mayor Elliott introduces Emmitt Pepper from Energy Efficient West Virginia. Mr. Pepper gives presentation on how to become more energy efficient through benchmarks and conservation.

CLERK'S REPORT

Mr. Palmer, seconded by Mr. Thalman moved to forward Petition for Zoning Amendment of 79 Burkham Ct- R-1C to C-1 to Planning Commission. All in favor. Motion carried.

UNFINISHED BUSINESS

Annexation without Election- Danfield Drive

The following was then read:

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF WHEELING TO PROVIDE FOR ANNEXATION WITHOUT AN ELECTION OF ADDITIONAL TERRITORY OWNED BY THE MAJORITY OF FREEHOLDERS AND CORPORATE LANDOWNERS OF DANFIELD DRIVE WHICH IS ADJACENT TO THE CITY OF WHEELING'S MUNICIPAL BOUNDARY LINE

The ordinance was read a second time by title. Mr. Palmer, seconded by Mr. Seidler, moved that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Thorngate, Palmer -6
NOES: -0

A majority of all those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

Stephens Auto- 2022 Ford Explorer- Water Distribution

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$29,633 WITH STEPHENS AUTO CENTER, OF DANVILLE, WV FOR 2022 FORD EXPLORER TO BE CHARGED TO WATER DISTRIBUTION VEHICLE REPLACEMENT FUND 400.1128.05.00

The ordinance was read a second time by title. Mr. Thalman, seconded by Mr. Thorngate, moved that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Thorngate, Palmer -6
NOES: -0

January 4, 2022

A majority of all those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

Cast and Baker- Phase III-B - Wastewater Collection & Treatment System Improvements CSO W-24 Improvements- WPCD

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$416,183.00 TO CAST AND BAKER CORPORATION, OF CANONSBURG, PA FOR PHASE III-B WASTEWATER COLLECTION AND TREATMENT SYSTEMS IMPROVEMENTS, CSO W-24 IMPROVEMENTS, TO BE CHARGED TO WATER POLLUTION CONTROL

The ordinance was read a second time by title. Mr. Thalman, seconded by Mr. Thorngate, moved that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Thorngate, Palmer -6
NOES: -0

A majority of all those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

James White - Phase III-B - Wastewater Collection & Treatment System Improvements Forest Hills- WPCD

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$ 630,780.00 TO JAMES WHITE CONSTRUCTION, OF WEIRTON, WV FOR PHASE III-B WASTEWATER COLLECTION AND TREATMENT SYSTEMS IMPROVEMENTS, FOREST HILLS- SEWER IMPROVEMENTS - PHASE 03H TO BE CHARGED TO WATER POLLUTION CONTROL

The ordinance was read a second time by title. Mr. Thalman, seconded by Mr. Thorngate, moved that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Thorngate, Palmer -6
NOES: -0

A majority of all those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

No Parking on 17th St from Wood to Lane G- Traffic Rule

The following was then read:

AN ORDINANCE AUTHORIZING NO PARKING ON 17TH STREET FROM WOOD STREET TO LANE G

The ordinance was read a second time by title. Ms. Ketchum, seconded by Mr. Palmer, moved that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Thorngate, Palmer -6
NOES: -0

January 4, 2022

A majority of all those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

Two-Way Traffic on 17th St from Wood to Lane G-Traffic Rule

The following was then read:

AN ORDINANCE AUTHORIZING TWO WAY TRAFFIC ON
17TH STREET FROM WOOD STREET TO LANE G

The ordinance was read a second time by title. Ms. Ketchum, seconded by Mr. Palmer, moved that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Thorngate, Palmer -6
NOES: -0

A majority of all those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

One-Way Traffic on Lane 15 from Lane G to Wood St Heading West- Traffic Rule

The following was then read:

AN ORDINANCE AUTHORIZING ONE WAY TRAFFIC ON
LANE 15 FROM TO LANE G TO WOOD ST HEADING WEST

The ordinance was read a second time by title. Ms. Ketchum, seconded by Mr. Palmer, moved that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Thorngate, Palmer -6
NOES: -0

A majority of all those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

One Way Traffic on Lane G From 17th to Lane 15 Heading South- Traffic Rule

The following was then read:

AN ORDINANCE AUTHORIZING ONE WAY TRAFFIC ON
LANE G FROM 17TH TO LANE 15 HEADING SOUTH

The ordinance was read a second time by title. Ms. Ketchum, seconded by Mr. Palmer, moved that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Thorngate, Palmer -6
NOES: -0

A majority of all those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

Mr. Thorngate moved, seconded by Mr. Palmer, that the Financial Report November 2021, BZA Minutes 11/18/21, Planning Commission Minutes 11/8/21 which were held over, be accepted as received. All in favor. Motion carried.

REMARKS FROM MEMBERS OF COUNCIL

Mr. Palmer speaks in favor on resolution forwarding accessory structures to the Planning

January 4, 2022

Commission. He also would like to see Human Rights Commission get public input on the CROWN Act and Conversion Therapy Resolutions.

Ms. Ketchum reminds Mozart Community meeting to discuss the possible name change of Cross St.

Mr. Seidler speaks against allowing accessory structures.

REPORT OF COMMITTEES

Mr. Thalman moved, seconded by Mr. Thorngate to accept the Development Committee 12/21/21 and Finance Committee Minutes 12/21/21 as received. For the record they are as follows:

DEVELOPMENT COMMITTEE REPORT December 21, 2021

The Development Committee of Wheeling City Council met on the above date at 4:30 p.m. Committee members present: Mayor Elliott, Vice Chair Thalman, and Member Thorngate. Others present: Councilors Seidler and Sklavounakis, City Manager Robert Herron, City Solicitor Rosemary Humway-Warmuth

Development / Redevelopment Designation 205 Fulton St:

Applicant Dave Shriver was present. He confirms he has received variances from the BZA to rebuild building on same lot. The prior structure needed razed. Due to the size, there will be a site plan review from Planning Commission. Mr. Shriver indicated there will be a full kitchen and catering business in addition to ABCA and LVL. Mr. Connelly indicated there is no objection from City Staff. Mr. Thalman moved, seconded by Mr. Thorngate, to approve and forward to City Council. All in favor. Motion carried.

Resolution to Consider Amending Zoning Code for Dwelling Units in Accessory Structures:

City Clerk presented a Resolution to forward the matter to Planning Commission per State and City Code. Mr. Thalman is in support and would like to add the accessory structure would not be more than 1,000 square feet and the primary structure be owner occupied at the time permit if filed. Mayor Elliott support the addition stating flexibility in housing is a must. Mr. Seidler expresses parking concerns. Mr. Sklavounakis addresses concerns of eliminating R1 zoning districts. Mr. Thalman moved, seconded by Mr. Thorngate, to approve and forward to City Council. All in favor. Motion carried.

There being no further business to come before the Committee, Mr. Thalman moved, seconded by Mr. Thorngate, to adjourn. Time: 5:02 p.m.

FINANCE COMMITTEE REPORT December 21, 2021

The Finance Committee of Wheeling City Council met on the above date at 5:15 p.m. Committee Members present: Chair Palmer, Vice Chair Thorngate, and Member Thalman. Others present: Mayor Elliott, Councilors Seidler, Ketchum, and Sklavounakis, City Manager Robert Herron, City Clerk Brenda J. Delbert, and Finance Director Seth McIntyre

The following matters were discussed:

November 2021 Financial Statement:

Mr. Herron reviewed the financial statement for November 2021. Cash balance is higher than actual because FEMA Grant was awarded in the amount of \$400,000 and there is an encumbered amount of \$925,571 in outstanding paving. The actual amount in General Fund is 3.2 million. Expenditures are 39% for the fiscal year and we are 41.6% through the FY. Mr. Thalman, seconded by Mr. Thorngate, to approve the Financial Statement as presented and forward to Council. All in favor.

January 4, 2022

Motion carried

There being no further business to come before the Committee, Mr. Thalman moved, seconded by Mr. Thorngate to adjourn. Motion carried. Time: 5:18 p.m.

REPORT OF CITY MANAGER

Mr. Herron reviews the 2022-2023 budget schedule with City Council. Police Headquarters project is about 25% completed, scheduled to be complete August 2022.

ORIGINAL PROPOSITIONS

Cast and Baker- Slip Repairs Two Roads- City Service Fee and WPCD

The following was then read:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$22,450.00 WITH CAST AND BAKER CORPORATION, OF CANONSBURG, PA FOR TWO SLIP REPAIRS AT GLENWOOD ROAD AND SPRINGDALE AVE, TO BE CHARGED TO CITY SERVICE FEE AND WPCD

Resolution- Requesting Planning Commission Review Zoning Ordinance- Allow Dwelling Units in Accessory Structures

The following was then read:

RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING, REQUESTING THAT THE PLANNING COMMISSION UNDERTAKE THE REQUIRED PROCESS TO CONSIDER AMENDING THE ZONING ORDINANCE TEXT AND OR MAP TO ALLOW DWELLING UNITS IN ACCESSORY STRUCTURES

The resolution was read by title. Mr. Thalman, seconded by Mr. Thorngate, moved that the ordinance be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Thorngate, Palmer -6
NOES: -0

A majority of all those elected to Council having voted in favor, the mayor thereupon declared the resolution adopted.

Development/Redevelopment Site- 205 Fulton Ave- Dave Shriver

The following was the read:

A RESOLUTION OF THE COUNCIL OF THE CITY OF WHEELING IDENTIFYING 205 FULTON STREET AS A DEVELOPMENT OR A REDEVELOPMENT SITE.

The resolution was read by title. Mr. Seidler, seconded by Ms. Ketchum, moved that the resolutions be adopted.

The vote on the motion resulted as follows:

AYES: Elliott, Thalman, Seidler, Ketchum, Thorngate, Palmer -6
NOES: -0

A majority of all those elected to Council having voted in favor, the mayor thereupon declared the ordinance adopted.

January 4, 2022

THOSE WISHING TO BE HEARD

Julia Chaplin, Fieldcrest Ave, speaks in opposition of CROWN Act and Conversion Therapy resolutions.

Deb Scott, Clifton Ave, speaks in regard to a water problem in Warwood.

There being no further business, Mr. Thalman moved, seconded by Mr. Thorngate, to adjourn. Motion carried. Time 12:33 p.m.

City Clerk

Mayor